

Development Management Report

Summary	
Application ID: LA04/2024/1458/f	Committee Date: 11 th February 2024
<p>Proposal: Alterations to the site include refurbishing and repurposing of 3no existing vernacular buildings and replacing 1 shed, a small garage and an agricultural structure with a new amenity building. Enhancements to the existing pond network, introduction of signage interpretation and a suite of site-appropriate furniture.</p> <p>Wider site improvement works are proposed including path enhancements and new routes, installation of site furniture and interpretation signage.</p>	<p>Location: Divis and The Black Mountain National Trust Site, Divis Road, Hannahstown, Belfast, BT17 0NG.</p>
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and a satisfactory response from DAERA	
<p>Applicant Name and Address: Andrew Corkill The National Trust Rowallane Stableyard Saintfield BT24 7LH</p>	<p>Agent Name and Address: Eleanor Fuller The Paul Hogarth Company Potters Quay 5 Ravenhill Road Belfast BT6 8DN</p>
Date Valid: 20 th September 2024	
Target Date: 18 th April 2025	
Contact Officer: Ciara Reville, Principal Planning Officer (Development Management)	
<p>Executive Summary:</p> <p>The application relates to the Divis and Black Mountain National Trust Site which is comprised of 6.5 hectares of land. The site is accessed from the Divis Road and is comprised of a central access road which leads to a transmission station. There are a number of walking trails within the site. Along the access road is a car park which contains a traditional single storey building containing a café and two further traditional buildings which are in a state of disrepair.</p> <p>The application seeks full planning permission for the refurbishing and repurposing of 3 existing vernacular buildings to provide visitor facilities such as a kiosk area, exhibition space, an accessible toilet and the relocation of the existing café. A new building is to be constructed to provide amenity facilities. The proposal includes enhancements to the existing pond network located at the visitor hub and wider improvements to the site such as path improvements, new routes, signage and appropriate furniture.</p> <p>The application follows Pre-Application Discussions with officers.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of development in the Countryside 	

- Layout, Scale, Massing and Design and Impact on the Belfast Hills and Area of High Scenic Value
- Impact on Natural Heritage
- Impact on the Archaeological Assets
- Flood Risk
- Climate change
- Proposed Access and Car Parking
- Pre-application Community Consultation

The site is located outside the development limits and within an Area of High Scenic Value and the Belfast Hills Operational Area as designated within the most recent version of draft Belfast Metropolitan Area Plan 2015 (v2004).

The proposal is considered to enhance the existing National Trust Site by enhancing the existing walking trails and the addition of new walking trails, the proposal will also provide signage and appropriate furniture to aid the visitor experience. The existing visitor hub will be upgraded with the restoration of the two buildings in disrepair which will facilitate the relocation of the existing café and the provision of an accessible toilet. The existing café will become a visitor kiosk and exhibition space. In addition the proposal will include the construction of a new amenity building for employees and volunteers.

The proposed building is sympathetic to the rural character of the surrounding area and the refurbishment of existing buildings is welcomed and will contribute to enhancing the character of the area. The proposals are not considered to have significant impacts to the Belfast Hills Area or the Area of High Scenic Value.

There is one outstanding consultation from DAERA. DAERA's Natural Environment Division and Water Management Unit requested further information which has been submitted and have been reconsulted. There was a significant delay in the response with the consultation issued on the 4th October 2024 and not received until the 17th January 2025 despite a previously successful PAD. Given the time funding pressures associated with the application and the delays in the initial response from DAERA, delegated authority is requested to deal with the outstanding consultation provided it raises no substantive issues.

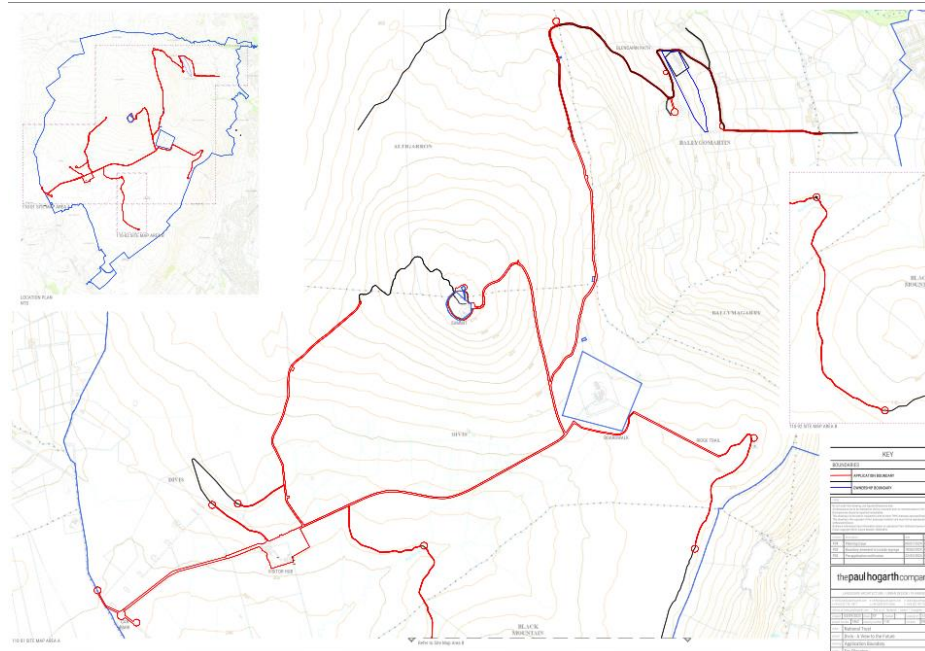
Recommendation

Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.

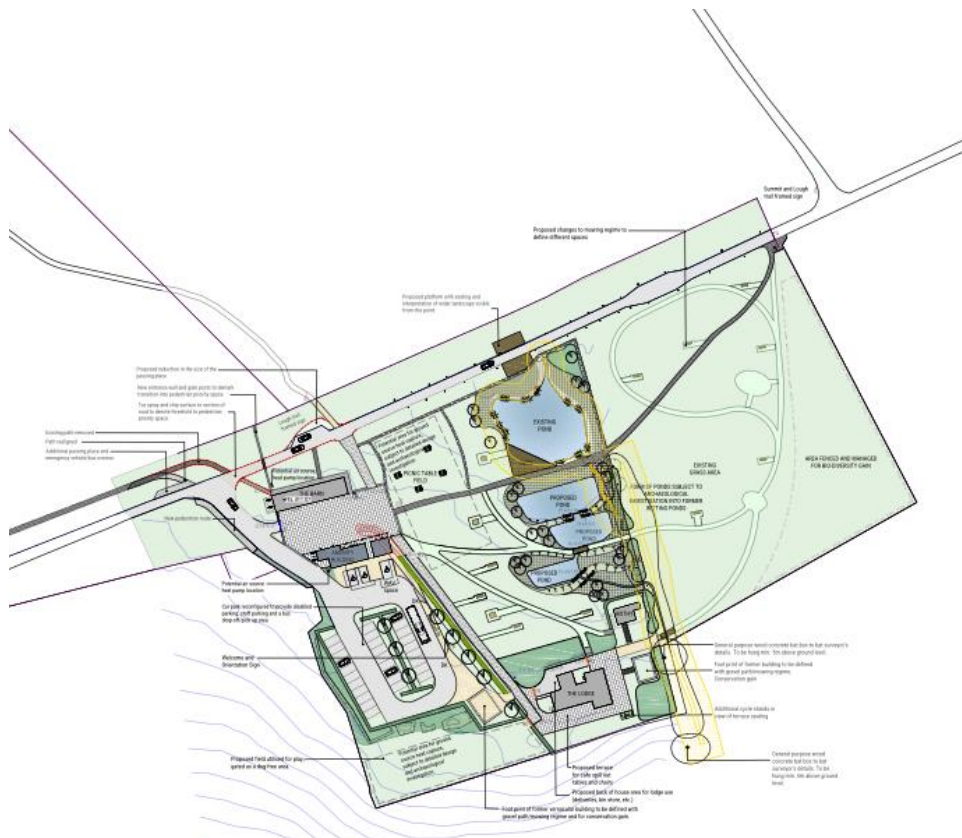
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and resolve the outstanding DAERA consultation response provided that no substantive matters are raised.

DRAWINGS AND IMAGERY

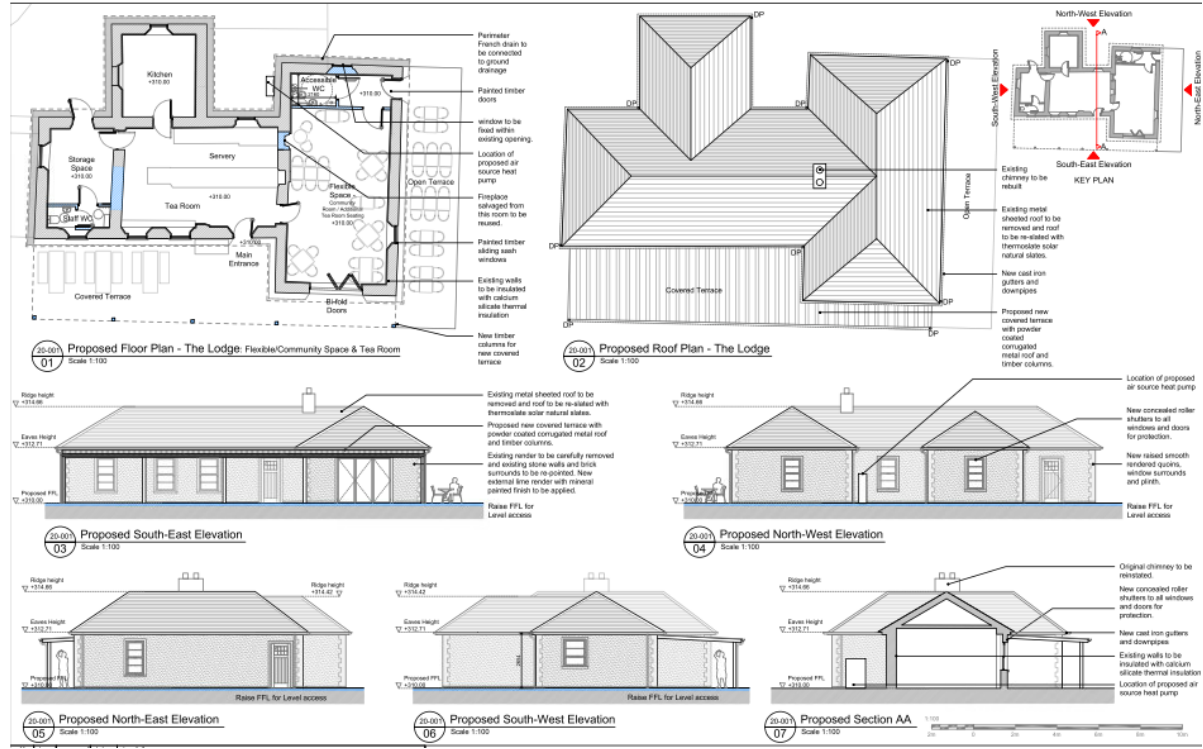
Site Location Plan:



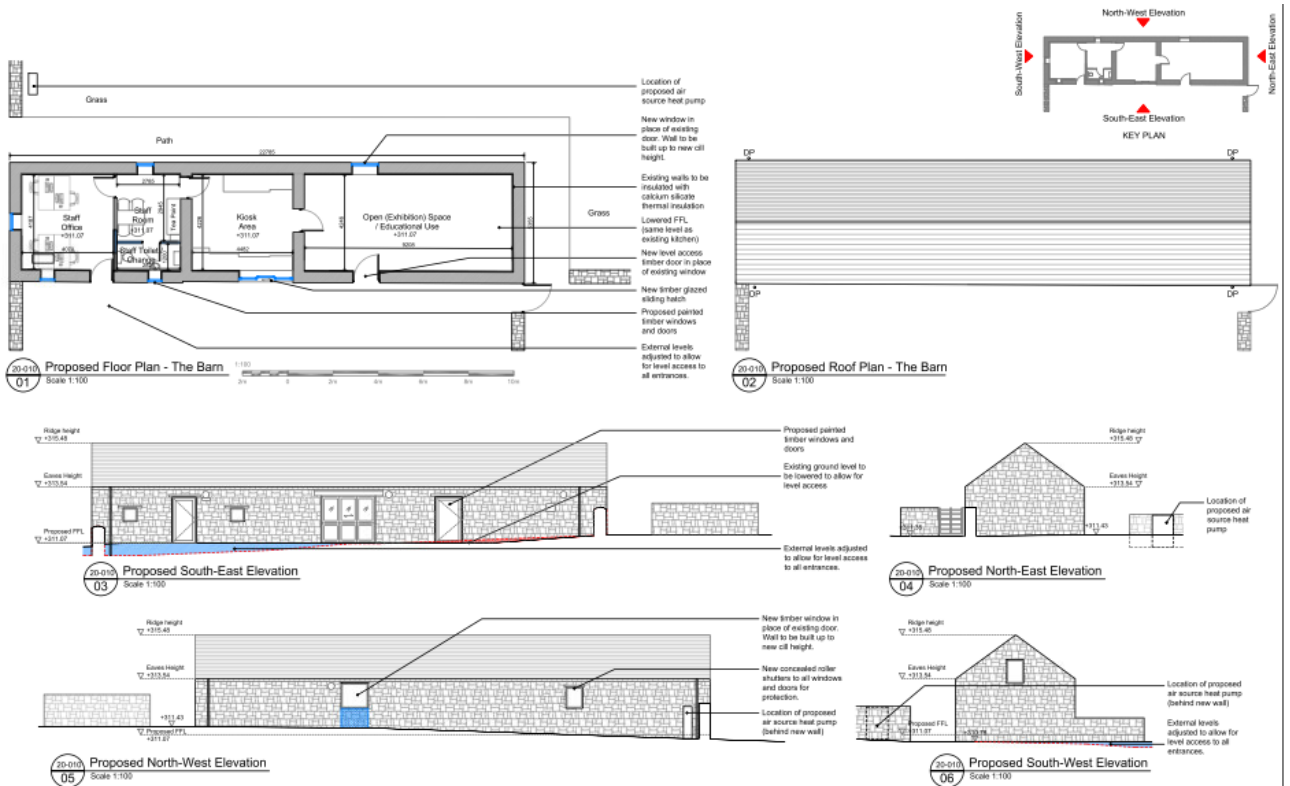
Proposed Visitor Centre Layout:



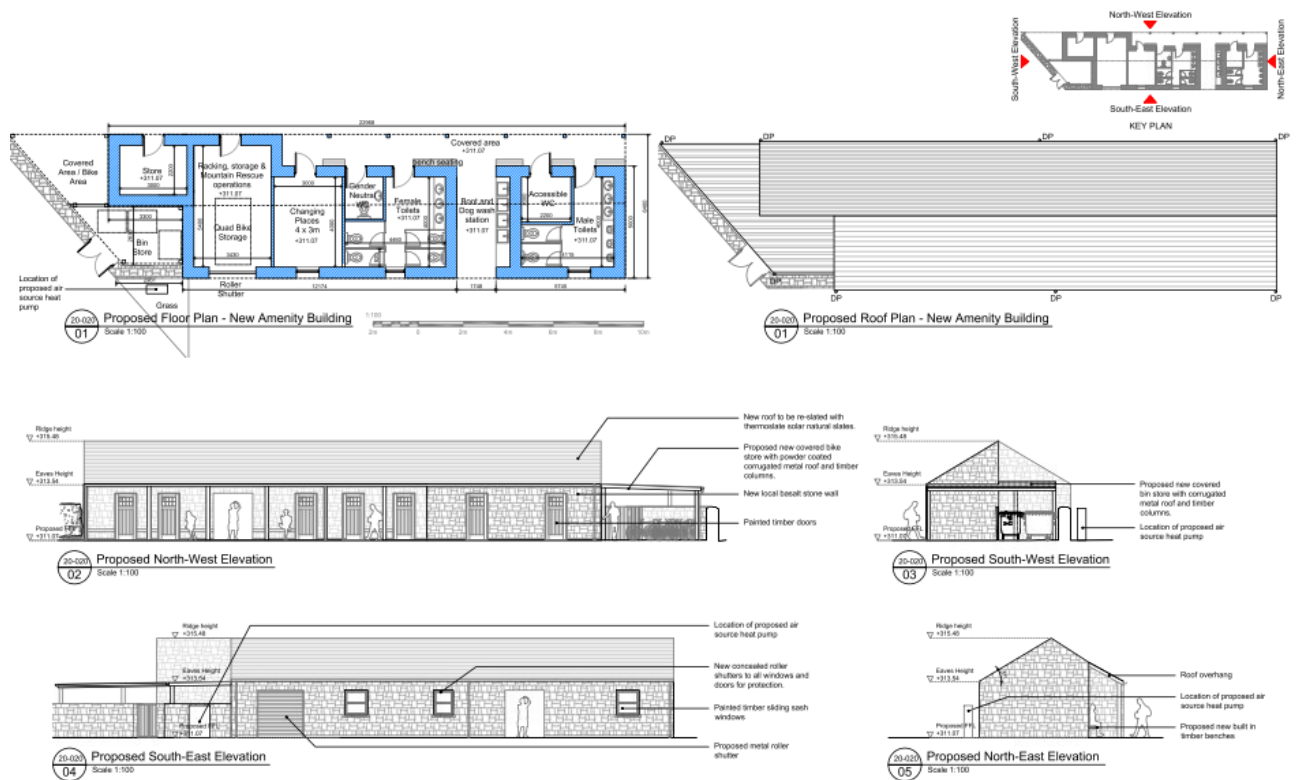
Proposed Lodge Building:



Proposed Barn Building:



Proposed Amenity Building



1.0 Characteristics of the Site and Area

1.1 The application relates to the Divis and Black Mountain National Trust Site which is comprised of 6.5 hectares of land. The site is accessed from the Divis Road and is comprised of a central access road which leads to a transmission station. There are a number of walking trails within the site. Along the access road is a car park which contains a traditional single storey building containing a café and two further traditional buildings which are in a state of disrepair.

1.2 Description of Proposed Development

The application seeks full planning permission for the refurbishing and repurposing of 3 existing vernacular buildings to provide visitor facilities such as a kiosk area, exhibition space, an accessible toilet and the relocation of the existing café. A new building is to be constructed to provide amenity facilities. The proposal includes enhancements to the existing pond network located at the visitor hub and wider improvements to the site such as path improvements, new routes, signage and appropriate furniture,

1.4 The application follows Pre-Application Discussions with officers.

2.0 PLANNING HISTORY

- 2.1 *Z/2014/1237/F- Upgrade of the public carpark and creation of a new footpath along the existing road. Permission Granted 3rd February 2024.*

3.0

PLANNING POLICY

3.1

Development Plan – Plan Strategy

Belfast Local Development Plan, Plan Strategy 2035

Strategic Policies:

- Policy SP1A – managing growth and supporting infrastructure delivery
- Policy SP2 – sustainable development
- Policy SP3 – improving health and wellbeing
- Policy SP5 – positive placemaking
- Policy SP6 – environmental resilience
- Policy SP7 – connectivity
- Policy SD2 – Settlement Areas

Operational Policies:

- Policy DES1 – Principles of urban design
- Policy DES2 – Masterplanning approach for major development
- Policy BH5 – Archaeology
- Policy TRAN1 – Active travel – walking and cycling
- Policy TRAN 2 – Creating an accessible environment
- Policy TRAN8 – Car parking and servicing arrangements
- Policy ENV1 – Environmental quality
- Policy ENV2 – Mitigating environmental change
- Policy ENV3 – Adapting to environmental change
- Policy ENV4 – Flood Risk
- Policy ENV5 - Sustainable drainage systems (SuDS)
- Policy GB1 – Green and blue infrastructure network
- Policy TRE1 – Trees
- Policy NH1 – Protection of natural heritage resources
- Policy DC1- All Countryside Proposals- General Policy Principles
- Policy DC4- The Conversion and Reuse of Existing Buildings
- Policy LC1- Landscape
- Policy LC1B- AHSVs
- Policy LC3- Belfast Hills

Supplementary Planning Guidance

- Placemaking and Urban Design
- Masterplanning approach for Major developments
- Sustainable Urban Drainage Systems
- Planning and Flood Risk

Development Plan – zoning, designations and proposals maps

- Belfast Urban Area Plan (2001) BUAP
- Draft Belfast Metropolitan Area Plan 2015 (v2004)
- Draft Belfast Metropolitan Area Plan 2015 (v2014)

Regional Planning Policy

- Regional Development Strategy 2035 (RDS)
- Strategic Planning Policy Statement for Northern Ireland (SPPS)

Other Material Considerations

- Belfast Agenda* (Community Plan)

<p>4.0</p> <p>4.1</p> <p>4.2</p>	<p>CONSULTATIONS AND REPRESENTATIONS</p> <p><u>Statutory Consultees</u></p> <p>DfI Roads – No objections</p> <p>DfC HED – No objections with conditions</p> <p>DAERA – Initial response requested further information for Natural Environment Division and Water Management Unit. This information has been submitted and DAERA have been reconsulted.</p> <p>DFI Rivers- No objections but comments raised on the proposed artificial modification of the ponds.</p> <p><u>Non-Statutory Consultees</u></p> <p>BCC Tree Officer- No objections</p> <p>BCC Landscape and Development team – No objections</p> <p>Shared Environmental Services (SES) – No objections</p> <p>Belfast Hills Partnership- Supports the proposals.</p> <p><u>Representations</u></p> <p>The application has been advertised in the newspaper and neighbours notified.</p> <p>No representations have been received.</p>
<p>5.0</p> <p>5.1</p> <p>5.2</p>	<p>PLANNING ASSESSMENT</p> <p>Main Issues</p> <p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of development in the Countryside • Layout, Scale, Massing and Design and Impact on the Belfast Hills and Area of High Scenic Value • Impact on Natural Heritage • Impact on the Archaeological Assets • Flood Risk • Climate change • Proposed Access and Car Parking • Pre-application Community Consultation <p>Development Plan Context</p> <p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>

5.3	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
5.4	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p><u>Operational Polices</u></p>
5.5	<p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed above.</p> <p><u>Proposals Maps</u></p>
5.6	<p>Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
5.7	<p>Belfast Urban Area Plan 2001 – the site is located within an Area of High Scenic Value</p>
5.8	<p>Belfast Metropolitan Area Plan 2015 (2004) – the site is located within an Area of High Scenic Value and the Belfast Hills Operational Area.</p>
5.9	<p>Belfast Metropolitan Area Plan 2015 (v2014) – the site is located within an Area of High Scenic Value and the Belfast Hills Operational Area.</p> <p><u>Principle of Development in the Countryside</u></p>
5.10	<p>Policy DC1 provides general policy principles for all countryside development and states that all proposals should be supported by a justification of rural locational need and site-specific need and must demonstrate that there is no significant detrimental impact on rural amenity and environmental quality.</p> <p>The submitted Design and Access Statement provides the aims of the proposal which are below:</p> <ul style="list-style-type: none"> • Development of trails, routes and connections that support accessible, enjoyable experiences, including a green corridor providing walking access from the city • Provision of buildings and infrastructure to support visitors, staff and volunteers, • The implementation of a landscape scale interpretation plan • Increased opportunities for communities to engage with heritage, nature and place

5.11	<p>The proposals are to enhance the existing offering on the site by developing the existing visitor hub through the restoration of existing buildings, the construction of one new building and the alteration to the existing pond network. Within the wider site the proposal includes the provision of new walking trails, signage and appropriate furniture. Given the proposals are to enhance the existing visitor offering and infrastructure on site, it is considered acceptable in principle provided there is no significant detrimental impact on rural amenity, environmental quality or loss or erosion of rural character which will be assessed further in this report.</p>
5.12	<p><u>Layout, Scale, Massing and Design and Impact on the Belfast Hills and Area of High Scenic Value</u></p>
5.13	<p>The existing visitor hub contains three existing buildings of which only one is in use as a café. The proposal involves the restoration of the two buildings in disrepair which will facilitate the relocation of the existing café and the provision of an accessible toilet. The existing café will become a visitor kiosk and exhibition space. In addition the proposal will include the construction of a new amenity building for employees and volunteers.</p>
5.14	<p>Policy DC4 states that planning permission will only be granted to proposals for the sympathetic conversion, with adaptation if necessary, of a locally important building for a variety of alternative uses, including use as a single dwelling, where this would secure its upkeep and retention.</p>
5.15	<p>The conversion and reuse of the existing buildings accords with policy DC4. The proposal restores the buildings which are in disrepair with minimal intervention to the existing architectural features such as the original stonework. The proposal will enhance the existing buildings and the rural character of the site. The nature of the uses is ancillary to the use of the National Trust site and will aid in providing accessibility to visitors.</p>
5.16	<p>Likewise the new building to be constructed will utilise traditional stonework to ensure it is sympathetic to the existing character. The proposed site layout integrates the buildings within the wider site and utilises proposed ponds, seating areas and proposed areas promoting biodiversity to ensure the buildings and layout will not harm the rural character of the area.</p>
5.17	<p>The proposed signage, furniture and walking trails will enhance the visitor experience and accessibility without harming the character of the rural area.</p>
5.18	<p>The proposed site is in a highly sensitive location designated as the Belfast Hills and an Area of High Scenic Value. Policies LC1, LC1B and LC3 provide criteria to be met to ensure that proposals will not have a significant adverse impact on the landscape character. For the reasons previously stated it is considered that the proposal will protect and enhance the landscape and visual character by works such as utilising existing buildings in disrepair, enhancing the existing network of trails, providing a net gain of trees, enhancing the biodiversity surrounding the existing visitor hub and integrating the proposed new building sensitively within the site.</p>
5.19	<p>The proposals are considered to enhance the existing National Trust Site, improving accessibility and the visitor experience. Belfast Hills Partnership were consulted and supported the proposals.</p>

	<p><u>Impact on Natural Heritage</u></p> <p>5.20 The proposed site is in a highly sensitive location designated as the Belfast Hills and an Area of High Scenic Value. Policy NH1 states the Council will adopt the precautionary principle when considering the impacts of a proposed development on local, national or international heritage resources, including designated sites, protected species and other important interests of biodiversity and geodiversity.</p> <p>5.21 The applicant has submitted a number of documents in order to support that the application will protect heritage resources including Tree Surveys/Protection Plans, a Habitats Regulation Assessment, an Outline Construction Environmental Management Plan and Preliminary Ecological, Appraisal and Habitat Enhancement Report.</p> <p>Natural Environment Division within DAERA were consulted on the 4th October 2025 on the submitted information and responded on the 17th January 2025 requesting a Lizard, Bat and Newt Survey which have been submitted and NED have been reconsulted. Due to funding pressures a decision is required prior to the end of March 2025. Given the delay in DAERA's response the application is being presented to committee members and delegated authority is sought to deal with the further outstanding DEARA response. Given the information requested has been provided officers are satisfied that Policy NH1 can be adhered to and that the proposal will protect on site habitats, species, ecosystems and networks. However delegated authority is requested to deal with any matters arising from the final DERA response so long as they are not substantive,</p> <p>In regards to Trees the BCC Tree Officer was consulted and welcomed the net gain in trees within the site, there were no objections with conditions. The BCC Landscape Planning and Development Team were consulted and stated the proposals would enhance the local and wider landscape character.</p> <p><u>Impact on the Archaeological Assets</u></p> <p>5.22 Policy BH5 states that the Council will seek to conserve and protect and where possible enhance archaeological assets.</p> <p>An Archaeological Impact Assessment was submitted with the application. DfC Historic Environment Division were consulted and had no objections to the proposal subject to the agreement and implementation of a developer-funded programme of archaeological works. The proposal therefore satisfies Policy BH5.</p> <p><u>Flood Risk and Proposed Drainage</u></p> <p>5.23 The proposal includes a Drainage Assessment and DFI Rivers were consulted.</p> <p>DFI Rivers acknowledge that flood risk to and from a portion of the development was to be managed using SuDS which is outside the Rivers Directorate area of knowledge and expertise. Officers have no reason to disagree with the submitted Drainage Assessment and the use of SuDS is welcomed as per Policy ENV5.</p> <p>DFI Rivers also stated that the submitted Pond Layout proposes a minor diversion of an undesignated watercourse which is not normally permitted unless necessary to provide access to a development site or for engineering reasons. The response refers to section 4.9 of the Planning and Flood Risk SPG.</p> <p>In response the applicant has submitted further information stating that the existing grassland between the existing pond and the lodge prevents access due to the ground</p>
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<p>5.24</p>	<p>being saturated. The proposed three ponds are designed to manage the water in this area by SuDS in a better manner which will increase biodiversity and use by the public. It is noted that no formal objection was received from DFI Rivers and officers have no reason to disagree with the conclusions of the Drainage Assessment or further submitted information. The Council accept that the small culvert referred to by DFI Rivers is required for access purposes in accordance with section 4.9 of the Planning and Flood Risk SPG.</p> <p>Water Management Unit within DAERA have been consulted and have requested further information in regards to the proposed ponds and associated watercourse to determine if the development has the potential to adversely affect the surface water environment. The further information has been submitted and WMU have been reconsulted. Given the delay in DAERA's response the application is being presented to committee members and delegated authority is sought to deal with the further outstanding response. Officers' are content that the submitted information will allow WMU to make an assessment on the impacts to the surface water environment.</p> <p><u>Proposed Access and Car Park</u></p> <p>The proposal formalises the existing car park to provide disabled parking, bus parking and staff parking. DFI Roads were consulted and had no objections. The proposed parking is considered to comply with Policy TRAN8.</p>
<p>5.25</p>	<p><u>Climate change</u></p> <p>Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change.</p> <p>The proposal complies with both policies. The development seeks to avoid demolition by reusing the existing buildings within the site. The proposal incorporates sustainable design measures with the use of an air source heat pump, potential locations are indicated on the proposed site layout and the details of such will be conditioned.</p> <p>Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The applicant has demonstrated the proposal will include SuDS measures by proposing three new linkage ponds to effectively manage surface run off.</p>
<p>5.26</p>	<p><u>Pre-application Community Consultation</u></p> <p>The application was preceded by a Proposal of Application Notice (PAN) which set out the applicant's proposals for pre-application community consultation.</p> <p>The application is accompanied by a mandatory Pre-application Community Consultation Report (PACC). The PACC report describes the comprehensive pre-application consultation undertaken by the applicant.</p> <p>The applicant actively sought the views of the public and stakeholders with regards to this development by utilising the following methods of engagement:</p>

	<ul style="list-style-type: none"> • Distribution of an information leaflet containing the details of the proposals and the avenues through which recipients could provide their comments and feedback; • Hosted four public exhibition events with members of the project team to assist in any questions and to allow for further feedback; • Set up a consultation website live throughout the consultation period (19th February 2024 to 24th May 2024) • Issued a press notice to two newspapers with highlight information about the proposals and provide notification of the public information event; <p>The feedback was reviewed, and the matters were considered within the PACC report, detailing how the feedback was gathered, analysed, assessed and considered. A total of 85.5% of respondents were very supportive or supportive of the proposals.</p> <p>It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.</p>
<p>6.0</p> <p>6.1</p>	<p>Recommendation</p> <p>Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and resolve the outstanding DAERA consultation response provided that no substantive matters are raised.</p>
<p>7.0</p> <p>7.1</p> <p>7.2</p> <p>7.3</p>	<p>DRAFT CONDITIONS</p> <p>The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>Notwithstanding the submitted details, no development shall commence unless details of climate change measures to mitigate and/or adapt to climate change have been submitted to and approved in writing by the Council. The development shall not be occupied unless the climate change measures have been implemented in accordance with the approved details. The climate change measures shall be retained in accordance with the approved details at all times. Reason: To mitigate and/or adapt to climate change.</p> <p>No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Belfast City Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:</p> <ul style="list-style-type: none"> • The identification and evaluation of archaeological remains within the site; • Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ; • Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and • Preparation of the digital, documentary and material archive for deposition.

	<p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p>
7.4	<p>No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition (INSERT). Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p>
7.5	<p>A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition (INSERT). These measures shall be implemented and a final archaeological report shall be submitted to Belfast City Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Belfast City Council. Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.</p>
7.6	<p>All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any retained trees or planting indicated on the approved drawings which become seriously damaged, diseased, or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council. Reason: In the interests of visual amenity.</p>
7.7	<p>All landscaping works shall be carried out in accordance with the approved plans. The works shall be carried out prior to the completion of the development unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. Reason: In the interests of the character and appearance of the area</p>
7.8	<p>Prior to any work commencing all protective barriers (fencing) and ground protection is to be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site & on along the public streetscape and must be in place before any materials or machinery are brought onto site for demolition, development, or soil stripping. Protective fencing must remain in place until all work is completed, and all associated materials and equipment are removed from site. Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.</p>
7.9	<p>No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the RPA of trees within the site during the construction period. Reason: To avoid compaction within the RPA.</p>